

## **Minutes of the Land Use, Parks and Environment Committee - January 20, 2004**

The meeting was called to order at 8:35 a.m. by Chair Kolb.

**Present:** Chair Walter Kolb, County Board Supervisors Pauline Jaske, Scott Klein (arrived at 8:39 a.m.), James Jeskewitz, William Mitchell, Daniel Pavelko; **Absent:** Vera Stroud

**Staff Present:** Legislative Policy Advisor Mark Mader, Legis.Associate Sandra Meisenheimer

**Also Present:** Parks and Land Use Planning & Zoning Manager Dick Mace

**Public Present:** Curt Manke and Bill Adams (both attending for Ordinance 158 -O-122)

### **Approve Minutes of January 6, 2004**

**Motion:** Jeskewitz moved, second by Mitchell, to approve the minutes of 1/6/04. **Motion carried 5 – 0.**

### **Read Correspondence**

Kolb referred to a letter from SEWRPC regarding Waukesha County Surveyor Activities – 2003. This will be a future agenda item.

### **Consider Proposed Ordinance: 158-O-125 Amend the District Zoning Map of the Town of Eagle Zoning Ordinance by Conditionally Rezoning Certain Lands Located in Part of the SW ¼ of Section 26, T5N, R17E, Town of Eagle, Designated Presently with the RRE-1 Residential Rural Estate and UC Upland Conservancy Districts to add the PD Planned Development Overlay District (SZT-1505)**

Mace pointed out the location of the rezoning with the use of an aerial map. The petitioner is proposing a conservation subdivision with 18 lots. The parcel is 67.83 acres with approximately 28 acres in agricultural, 29 acres in wetlands and 10 acres in forest lands. Mace stated that on the conditional use for this property a rear offset of 50 feet was added to lots 10, 11, 12, 15, 16 and 17.

**Motion:** Jeskewitz moved, second by Pavelko, to approve Ordinance 158-O-125.

Mace indicated that some of the attachments are confusing so he will draft a memo to county board supervisors explaining which information included with the yellow copies is pertinent. This will alleviate any misunderstanding about the information that is part of the staff recommendation.

**Motion carried 6 – 0.**

### **Consider Proposed Ordinance: 158-O-126 Amend the Zoning District Map of the Town of Delafield Zoning Ordinance and the Waukesha County Shoreland and Floodland Protection Ordinance District Zoning Map of the Town of Delafield, by Rezoning Certain Lands Located in Part of the SE ¼ of Section 11, T7N, R18E, Town of Delafield, Waukesha County, Wisconsin, from the A-2 Rural Home District to Portions of the R-1 Residential District with Conditions and EC Environmental Corridor District (SZT-1506)**

Mace pointed out the location of the rezoning with the use of an aerial map. Curt Manke (property owner) and Bill Adams (petitioner) were present. A concept plan for the Enclave of Delafield was distributed for the committee's review of the area. A Residential Planned Unit Development (PUD) subdivision is being proposed with a total of 12 parcels contemplated at this time with lots being approximately 1¼ acres or larger in size to be served with municipal sewer.

Jaske asked about Lot 9 where it appears there are a lot of trees being taken out. Mace said just because a building envelope is shown doesn't mean the whole envelope will be cleared. A house will be sited but the Conditional Use Permit limits clearance to no more than 25' around the house site.

**Motion:** Jeskewitz moved, second by Mitchell, to approve Ordinance 158-O-126.

Mace suggested, in order to answer everyone's questions, adding "(See attached Town Conditional Use Permit)" on Page 4 at the end of No. 1 under Town Plan Commission conditions.

Klein stated Lots 9 and 10 are in the middle of the Primary Environmental Corridor (PEC). Even at 1½ acres he realizes they are part of a conservancy subdivision, but when you take Lots 9, 10, 5, and 6 and then add in the part that's in outlot 1, he wonders what those overall lot sizes would end up being. Klein indicated it is too much disruption of heavily wooded, steeply sloped lots. Mace said Lots 9, 10, 5 and 6 and the outlot are about 20 acres. Under the county rules and SEWRPC rules for extension of sewers, only 4 dwelling units in the PEC are allowable on this particular property, which is what they have. The rule is one unit for each 5 acres of PEC, and in this case there are 20 ½ acres. The other parts of the PEC are all restricted by building restrictions and building envelopes, which are on lots 2, 3 and 4. If SEWRPC had an issue with this, they would not have approved the sewer extensions. Mace said you might have some people who disagree with this, but this is the game plan we operate on in the region. **Motion carried 6 – 0.**

**Consider Proposed Ordinance: 158-O-127 Amend the Text of the Town of Mukwonago Zoning Ordinance to Repeal and Recreate Section 3.04(1) of the Town of Mukwonago Zoning Ordinance to Allow an Existing Residential Structure on a Parcel While a New Structure is Being Constructed (ZT-1509)**

Mace explained the amendment to the text of the Town of Mukwonago zoning ordinance. The Planning staff is recommending approval since it is an appropriate amendment, and it is impractical to try to complete a new residence from start to finish and obtain an Occupancy Permit within six months. The two years of time is appropriate given the fact that the building must be removed within 60 days of occupancy of the new home.

**Motion:** Klein moved, second by Jeskewitz, to approve Ordinance 158-O-127. **Motion carried 6 – 0.**

**Consider Proposed Ordinance: 158-O-128 Amend the Text of the Town of Mukwonago Zoning Ordinance to Repeal and Recreate Section 3.12(2) of the Town of Mukwonago Zoning Ordinance for a Special Exception Procedure for Large Attached Garages (ZT-1508)**

Mace explained the amendment to the text of the Town of Mukwonago zoning ordinance. The Planning staff is recommending approval as many new subdivision plats contain deed restrictions which do not allow detached accessory structures or outside storage, and there is a need for larger garages. The Town has created a procedure for a special exception with Town Plan Commission approval and guidelines are outlined for the granting of said procedures.

**Motion:** Pavelko moved, second by Jaske, to approve Ordinance 158-O-128. **Motion carried 6 – 0.**

**Motion to adjourn:** Klein moved, second by Mitchell, to adjourn the meeting at 10:10 a.m. Motion carried 6 – 0.

Respectfully submitted,

Pauline T. Jaske  
Secretary

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